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Robert L. Olender *
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Of Counsel
Robert Bennett Lubic*

*not admitted in MD

June 26, 2000

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
The Portals, TW-A325
445 Twelfth Street, S.W.
Washington, DC 20554

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JUN 26 2000
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

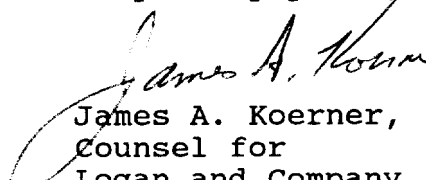
Re: MM Docket No. 00-73/
RM-9861

Dear Ms. Salas:

On behalf of Logan and Company, proponent in the above-referenced rule making proceeding seeking to allot FM Channel 255A to Hornbrook, California, there are transmitted herewith an original and four (4) copies of its Comments.

Should additional information be necessary in connection with this matter, please communicate with this office.

Very truly yours,


James A. Koerner,
Counsel for
Logan and Company

cc: Mr. Dean Flock

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Before the
Federal Communications Commission
Washington, D.C. 20554

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JUN 26 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	
)	
Amendment of Section 73.202(b))	MM Docket No. 00-73
Table of Allotments)	RM - 9861
FM Broadcast Stations)	
(Hornbrook, California))	

To: Chief, Allocations Branch

COMMENTS

Logan and Company ("Petitioner"), by its attorneys, hereby submits its Comments in response to the Notice of Proposed Rule Making ("NPRM") (DA 00-999), released May 5, 2000.

The NPRM proposes the allotment of FM Channel 255A to Hornbrook, California, as that community's first local aural transmission service.

The Petitioner hereby restates its intention to apply for the channel if it is allotted, and, if authorized, to build a station promptly.

As previously noted, and as reported in the NPRM, Hornbrook is neither an incorporated place nor listed in the U.S. Census as a Census Designated Place (CDP). However, Hornbrook, with a population of 350 (according to the 1998 Rand McNally Commercial Atlas and Marketing Guide), is nevertheless a community for allotment purposes.

Hornbrook has its own post office (Zip Code 96044), churches, a volunteer fire department, a school and local businesses. Nevertheless, the NPRM requested Petitioner to provide additional, and more detailed, information to demonstrate Hornbrook's community status.

It is well settled that community status may be demonstrated by objective indications or by subjective evidence of how the local residents perceive the locale. Objective indications include addresses for the community and businesses or organizations incorporating the community's name.

Of the three churches in Hornbrook, one, Hornbrook Community Bible Church, does incorporate the community's name. Attachment A is a copy of business cards, which include those from business establishments such as Grandma's Hornbrook Market and Hornbrook Chevron. In addition, there is Hornbrook Grange #391.

A community has been defined as a geographical population grouping "with a sense of unity and involvement in community concerns as shown by evidence that the residents function as and conceive of themselves as a community around which their interests coalesce." Mighty-Mac Broadcasting Co., 101 FCC 2d. 303, 306 (1986) rev. den. FCC 86-127 (March 24, 1986).

Attachment B consists of statements from community residents, responding to the question "Why do you consider Hornbrook to be 'your Community'?"

Elden Cibart, the Hornbrook postmaster, cites such factors as the elementary school, the fire department and the community water district. For Ethel Moore, who works with Community Crime Resistance, it is a place with deep roots, where her husband grew up and where they plan to retire. Ron Peters cites Hornbrook as the community in which he has been employed at two grocery stores, the restaurant and the bar. As well, he has coached the little league and has seen his three children graduate from the Hornbrook school.

Attachment C consists of letterheads from various Hornbrook organizations, including its own Neighborhood Watch and the local office of the Siskiyou County Neighborhood Watch. Included is a copy of the Application for Water Service, for the Hornbrook Community Service District.

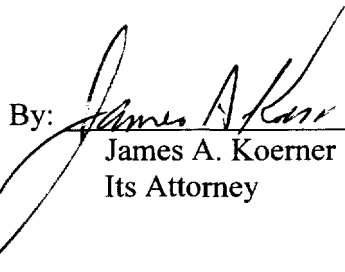
As noted in the Petition, the nearest population centers are Yreka, California (approximately 20 miles south) and Medford, Oregon (approximately 30 miles north). While Hornbrook may not be as isolated as Cal-Nev-Ari, Nevada, 14 FCC Rcd 17153 (1999), it needs to be far more self-sufficient than the case of Seven Locks Broadcasting Co., 37 FCC 82 (1964) (where the nature of the suburban communities, all with essential services provided by the county, precludes a showing that they have an identifiable population grouping separate and distinct from all others; licenses were granted).

Petitioner has more than met the current test for demonstrating community status.

Accordingly, it is respectfully requested that FM Channel 255A be allotted to Hornbrook, California, as that community's first local aural service.

Respectfully submitted,

LOGAN AND COMPANY

By: 
James A. Koerner
Its Attorney

Koerner & Olender, P.C.
5809 Nicholson Lane
Suite 124
North Bethesda, MD 20852
(301) 468-3336

June 26, 2000

ATTACHMENT A



ELDEN R. CIBART
POSTMASTER

HORN BROOK CA 96044-9998

~~(916)~~ 475-3588
(530)

Grandma's Hornbrook Market
Leslie & Betty Hoffman

PO BOX 97
15608 HORN BROOK RD.
HORN BROOK CA 96044

Bus: 530-475-0148
Fax: 530-475-0148

Ethel Moore
Community Crime Resistance
County Wide Neighborhood Watch

COMMUNITY CRIME RESISTANCE
SISKIYOU COUNTY SHERIFF DEPT
P O BOX 43
Hornbrook, CA 96044

Phone: 475-3804 or 888-831-4777
Fax: 530-475-3704
countywide@snocrcs.net



BELA VOROS
HANNELORE VOROS

HORN BROOK CHEVRON

24 Hour Towing

GAS
DIESEL
PROPANE

FISH/HUNTING LICENSES
BAIT-TACKLE

GROCERY
LIQUOR
SNACKS

114 COPCO RD.
P.O. BOX 89
HORN BROOK, CA 96044

(916) 475-3443

ATTACHMENT B

HORNBROOK

Why do you consider Hornbrook to be "your Community"?

I have worked and resided in this area for almost 14 years. As the Postmaster here I am very familiar with all aspects of the community. We have over 550 delivery addresses here. Many of them are businesses. Though it is not incorporated, it has many characteristics of an established town, such as a elementary school, a volunteer fire department, and a community water district. Though it is small and rural (which I like), it is more than just a spot in the road. Look around. You will see that Hornbrook is an establish community.

Elden R Cibart

SIGNATURE

ELDEN R CIBART

PRINT NAME



ELDEN R. CIBART
POSTMASTER

HORNBROOK CA 96044-9998

~~(916)~~ 475-3588
(530)

HORNBROOK

Why do you consider Hornbrook to be "your Community"?

I have lived here since October 1998.
My husband grew up in Hornbrook and
is happy to be back.
I work with the Community Crime
Resistance Program under the direction
of Siskiyou County Sheriff's Department
in Yreka.
We plan for this to be our
retirement home.

Ethel Moore

SIGNATURE

Ethel Moore

PRINT NAME

Ethel Moore
Community Crime Resistance
County Wide Neighborhood Watch

COMMUNITY CRIME RESISTANCE
SISKIYOU COUNTY SHERIFF DEPT
P O BOX 43
Hornbrook, CA 96041

Phone 475-3814 or 888-831-4777
Fax 530-475-1714
communitycrime.org

HORNBROOK

Why do you consider Hornbrook to be "your Community"?

I'VE LIVED IN HORNBROOK FOR TWENTY YEARS.
I HAVE WORKED AT TWO GROCERY STORES,
THE RESTAURANT AND THE BAR. I HAVE
COACHED LITTLE LEAGUE AND HAVE HAD THREE
CHILDREN GRADUATE FROM HORNBROOK SCHOOL.


SIGNATURE


PRINT NAME



HORNBROOK CHEVRON

24 Hour Towing

GAS
DIESEL
PROPANE

FISH/HUNTING LICENSES
BAIT-TACKLE

GROCERY
LIQUOR
SNACKS

114 COPCO RD.
P.O. BOX 89
HORNBROOK, CA 96044

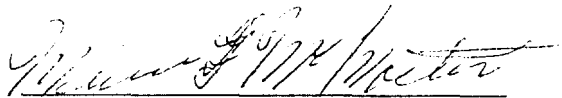
(916) 475-3448

BELA VOROS
HANNELORE VOROS

HORNBROOK

Why do you consider Hornbrook to be "your Community"?

I was born here and my home here
I will spend the rest of my life here.



SIGNATURE

Marvin L. McMaster

PRINT NAME

HORNBROOK

Why do you consider Hornbrook to be "your Community"?

We moved here from Sacramento in
Jan 2000 and have enjoyed the
peace and the quiet. We have been
able to find a great community and
a great place to live. We have met
many wonderful people and we
are happy to be here.

Leslie Hoffman

SIGNATURE

Leslie Hoffman

PRINT NAME

Grandma's Hornbrook Market
Leslie & Betty Hoffman

PO BOX 97
15602 HORNBROOK RD
HORNBROOK CA 96044

Bus: 530-475-0148
Fax: 530-475-0148

HORNBROOK ELEMENTARY SCHOOL

P.O. Box 169
Hornbrook, CA 96044
530-475-3598
Fax: 530-475-0929

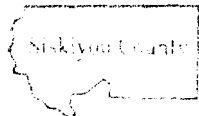
June 15, 2000

To Whom It May Concern,

- I have worked at Hornbrook Elementary School for the past 3.5 years. The school population is approx. 50 students in grades Kindergarten through 8.

Karen Kroetch
Secretary

ATTACHMENT C



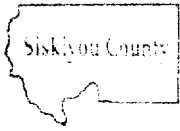
NEIGHBORHOOD WATCH HORN BROOK KRCE

*15434 Hornbrook Rd., * P.O. Box 103 * Hornbrook, CA 96044*



Phone: 530-475-3804

Fax: 530-475-3704



Countywide Neighborhood Watch

15434 Hornbrook Rd., P.O. Box 43, Hornbrook, CA 96044



HORNBROOK CO SERVICES DISTRICT
15434 HORNBROOK RD
P O BOX 29
Hornbrook,CA 96044

HORNBROOK COMMUNITY SERVICE DISTRICT
P.O. BOX 29
HORNBROOK, CA. 96044
TEL. (530) 475-3156

APPLICATION FOR WATER SERVICE

I wish to apply for water service. I understand that the current rate is \$4.50 per thousand gallons.

Deposit of \$150.00 is required until all water fees are paid.

APPLICANT/EMPLOYER: _____

MAILING ADDRESS: _____

SIGNATURE: _____

DATE: _____

DEPOSIT PAID: _____